

COTTONWOOD HEIGHTS

RESOLUTION No. 2012-47

A RESOLUTION APPROVING ENTRY INTO AN AMENDMENT TO THE INTERLOCAL AGREEMENT CREATING THE VALLEY POLICE ALLIANCE

WHEREAS, the Interlocal Cooperation Act, *Utah Code Ann.* §11-13-101 *et seq.*, provides that any two or more public agencies may enter into agreements with one another for joint or cooperative action following the adoption of an appropriate resolution by the governing body of each participating public agency; and

WHEREAS, on or about 22 April 2009, the city of Cottonwood Heights (the “City”) and a number of other public agencies and governmental bodies entered into an interlocal agreement (the “Agreement”) regarding the creation and operation of the Valley Police Alliance (the “VPA”); and

WHEREAS, the City and the other parties to the Agreement now desire to amend the agreement to incorporate the modifications specified in the “Amendment to Interlocal Agreement Regarding the Creation and Operation of the Valley Police Alliance” (the “Amendment”); and

WHEREAS, the city council (the “Council”) of the City met in regular session on 28 August 2012 to consider, among other things, approving the City’s entry into the Amendment; and

WHEREAS, the Council has reviewed the form of the Amendment, a photocopy of which is annexed hereto; and

WHEREAS, the city attorney of the City has approved the form of the Amendment as required by *Utah Code Ann.* §11-13-202.5(3); and

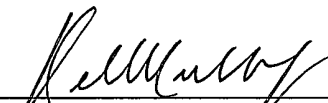
WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the City’s residents to approve the City’s entry into the Amendment as proposed in order to make efficient use of the City’s resources;

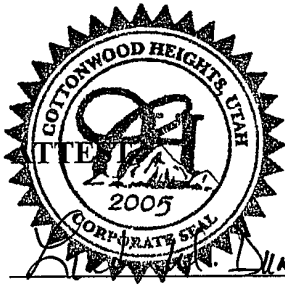
NOW, THEREFORE, BE IT RESOLVED by the city council of Cottonwood Heights that the attached Amendment is hereby approved, and that the City’s mayor and recorder are authorized and directed to execute and deliver the Amendment on behalf of the City.

This Resolution, assigned no. 2012-47, shall take effect immediately upon passage.

PASSED AND APPROVED this 28th day of August 2012.

COTTONWOOD HEIGHTS CITY COUNCIL

By 
Kellvyn H. Cullimore, Jr., Mayor



Linda W. Dunlavy, Recorder

VOTING:

Kelvyn H. Cullimore, Jr.	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tee W. Tyler	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

DEPOSITED in the office of the City Recorder this 28th day of August 2012.

RECORDED this 29 day of August 2012.

583777.1

**AMENDMENT TO
INTERLOCAL AGREEMENT**

**Regarding the Creation and Operation of the
VALLEY POLICE ALLIANCE**

The Interlocal Agreement ("Agreement") was entered into on or about April 22, 2009, by and between the following municipal corporations Cottonwood Heights City, Draper City, Midvale City, Murray City, Salt Lake City, Sandy City, South Jordan City, South Salt Lake City, Taylorsville City, West Jordan City and West Valley City, and other governmental entities, including, Unified Police Department, Salt Lake County Sheriff's Office, Granite School District, Utah Transit Authority, and the University of Utah (herein individually a "Party" or collectively the "Parties").

RECITALS

A. The Alliance was formed to allow for increased benefits regarding purchasing, mutual aid assistance and efficient use of resources for the members of the Alliance and the communities they serve;

B. Since the formation of the Alliance, Midvale City and Taylorsville City have contracted with the Unified Police Department to provide law enforcement services for their cities and no longer maintain independent police departments.

C. Since the formation of the Alliance, the Parties have met regularly to further the intended purpose of the Agreement to promote the health, safety and welfare of the collective citizens and patrons of the Parties, to provide improved police protection for the collective citizens and patrons of the Parties, to provide improved police protections and to provide immediate unified and cooperative action to guard against potential multiple threats to individual Parties.

D. The initial term of the Agreement was three years from the effective date, unless renewed in writing.

E. Although the Parties did not extend the Agreement in writing prior to the expiration of the first three year term, which would have been on or before April 22, 2012, their actions and intent indicate that at all times the Parties believed that the Agreement was still in place and that the Alliance was and still is operating under the mutual promises and covenants of the Agreement.

AMENDMENT

NOW THEREFORE, the Parties reaffirm their commitment to the conditions set forth in the Agreement and incorporate them herein by this reference and amend the Agreement as follows:

1. Midvale City and Taylorsville City are no longer parties to the Agreement, their law enforcement interests having been assumed by the Unified Police Department.

2. The Agreement is renewed retroactively, effective as of April 22, 2012, for a period of three years and Paragraph 5 of the Agreement is hereby amended to read:

TERM: The term of this Agreement shall be three (3) years from the effective date, with renewals occurring automatically thereafter every three (3) years, for a period up to fifty (50) years, unless the Parties agree in writing that the Agreement will not be renewed.

In Witness whereof, each Party has caused this Amendment to the Interlocal Agreement to be executed on its behalf by its duly authorized representative.

Agreed to this _____ day of _____, 2012.

Party: _____

By: _____

Its: _____

(If applicable)

ATTEST:

City Recorder

Approved as to legal form and compliance with applicable law:

Legal Counsel